

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**MEDIPACS 04.03**

In Re Application Of: **BANISTER**

**JAN 10 2005**

Application No.

**10/786,718**

Filing Date

**February 24, 2004**

Examiner

Customer No.

**27667**

Group Art Unit

**3746**

Confirmation No.

**2762**

Invention: **PULSE ACTIVATED ACUATOR PUMP SYSTEM**

**COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

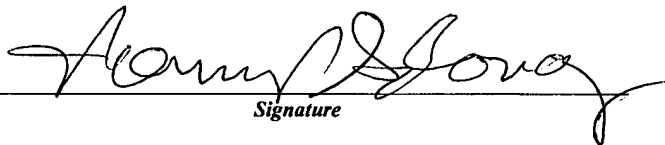
Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Dated:

**1/4/05**

**Norman P. Soloway  
Registration No. 24,315  
HAYES SOLOWAY P.C.  
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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: BANISTER  
SERIAL NO.: 10/786,718  
FILED: February 24, 2004  
FOR: Pulse Activated Actuator Pump System  
GROUP: 3746  
DOCKET: MEDIPACS 04.03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-entitled matter, Applicant hereby attaches U.S. Patent Office forms PTO-1449. These references were cited in the PCT International Search Report dated October 22, 2004 of the corresponding PCT patent application. Enclosed is a copy of the International Search Report. Also enclosed is a copy of the PCT Written Opinion. Applicant is not submitting copies of the U.S. Patent references as the Office waived the requirement under 37 CFR 1.98(a)(2)(i) on July 11, 2003. The claims in the present application are believed to be patentably distinguished over these references.

This Supplemental Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

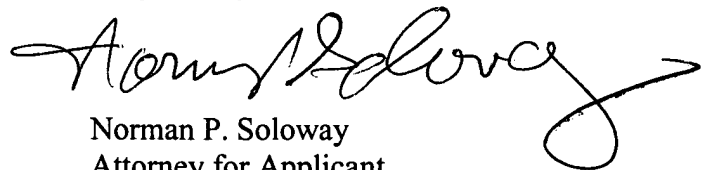
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In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of an official Search Report by a PCT examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the PCT examiner or the claims of the PCT application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the PCT examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted within three months of the PCT International Search Report and Written Opinion as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are additional fees payable, please charge them to our Deposit Account No. 08-1391.

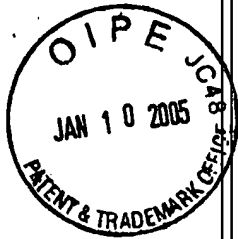
Respectfully submitted,



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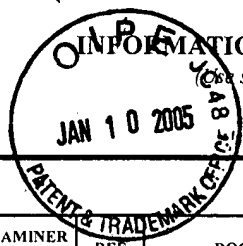
**CERTIFICATE OF MAILING**

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By: Linda Vaubel

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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Docket Number (Optional)

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Application Number

**10/786,718**

Applicant(s)

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Filing Date

**February 24, 2004**

Group Art Unit

**3746****U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,106,245	8.22.00	CABUZ	417	322	
		6,074,179	6.13.00	JOKELA et al.	417	322	
		6,004,115	12.21.99	da COSTA	417	413	
		5,798,600	8.25.98	SAGER et al.	310	330	
		5,622,482	4.22.97	LEE	417	321	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

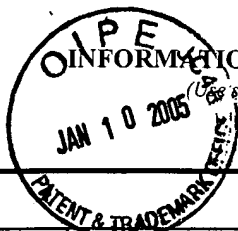
**OTHER DOCUMENTS**

(Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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(Use several sheets if necessary)

Docket Number (Optional)

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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,192,197	3.9.93	CULP	417	322	
		3,029,743	4.17.62	JOHNS	103	150	
		4,395,719	7.26.83	MAJEWSKI et al.	346	140	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

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